

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (CGM) SIPA Liquidation (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Chapter 7 Estate of Bernard L. Madoff, Plaintiff, v. SIX SIS AG, Defendant.	Adv. Pro. No. 12-01195 (CGM)

**ORDER DENYING SIX SIS AG'S
MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

Defendant SIX SIS AG (“Defendant”) filed a motion to dismiss the Second Amended Complaint under Bankruptcy Rule 7012(b) and Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6) (the “Motion”) on December 13, 2022. The parties stipulated to rest on their papers and waive oral argument on the Motion on April 5, 2023. The Court has considered the motion, the papers filed in support of and in opposition to the Motion, and the Second Amended Complaint. The Court issued a memorandum decision, dated April 18, 2023, regarding the Motion (the

“Decision”). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Second Amended Complaint is denied.
2. The deadline for Defendant to file an answer to the Second Amended Complaint is June 2, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: April 21, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge